

# M I N U T E S



## SANTA MONICA COMMUNITY COLLEGE DISTRICT BOARD OF TRUSTEES

REGULAR MEETING

DECEMBER 5, 2005

Santa Monica College  
1900 Pico Boulevard  
Santa Monica, California

Closed Session  
Business Building Room 111

Public Meeting  
Board Room  
Business Building Room 117

*The minutes may be accessed on the  
Santa Monica College website:  
<http://www.smc.edu/admin/trustees/meetings/>*

# **MINUTES**

A meeting of the Board of Trustees of the Santa Monica Community College District was held in the Santa Monica College Board Room (Business Building Room 117), 1900 Pico Boulevard, Santa Monica, California, on Monday, December 5, 2005.

The agenda included the following items: (Items for action - recommendations - are listed numerically; items for information are listed alphabetically).

**I. ORGANIZATIONAL FUNCTIONS**

- A Call to Order
- B Roll Call

**II. CLOSED SESSION**

- Public Employee Appointment, pursuant to Government Code Section 54957  
Title: Superintendent/President
- Collective Bargaining, *pursuant to Government Code Section 3549.1*
- Public Employee: Discipline, Dismissal, Release,  
*pursuant to Government Code Section 54957*
- Potential Litigation: One potential case  
*pursuant to Government Code Section 54956.9*

**III. PUBLIC SESSION - ORGANIZATIONAL FUNCTIONS (Continued)**

- C Pledge of Allegiance
- #1 Approval of Minutes: November 7, 2005 (Regular meeting)  
November 13, 2005 (Special meeting/closed session)  
December 2, 2005 (Special meeting)

**IV. SUPERINTENDENT'S REPORT**

**V. PRESENTATIONS AND BOARD DISCUSSION**

**VI. ACADEMIC SENATE REPORT**

**VII. COMMUNICATIONS OR PUBLIC COMMENTS**

VIII. **CONSENT AGENDA** (All items considered in one motion unless pulled for discussion or questions)

**Grants and Contracts**

- #2 Acceptance of Grants and Budget Augmentations
  - A Workforce Investment Act Funds for Associate Degree Nursing Programs; Foster Students Success
  - B Beverage Container Recycling and Litter Reduction
  - C Community-Based Job Training Grant
- #3 Contracts and Consultants
  - A Engagement of Legal Counsel
  - B Continuing and Community Education, Winter, 2006
  - C Memorandum of Understanding – USC
  - D Planetarium
  - E KCRW Contracts and Consultants

**Human Resources**

- #4 Academic Personnel
- #5 Classified Personnel – Establish/Abolish Positions
- #6 Classified Personnel – Regular
- #7 Classified Personnel – Limited Term
- #8 Classified Personnel – Non Merit

**Facilities and Fiscal**

- #9 Facilities
  - A Award of Bid – Earthquake Replacement Liberal Arts South
  - B Award of Bid – Bundy Campus Signage
  - C Change Order No. 6 – Theater Arts Renovation
  - D Change Order No. 2 – Liberal Arts, North Building
  - E Change Order Nos. 11 and 12 – New Music and Performing Arts Theater
  - F Amendment to Agreement for Architectural Services – New Music and Performing Arts Theater
- #10 2005-06 Amended Adopted Budget – Interest and Redemption Fund 48.0
- #11 Budget Augmentation
- #12 Commercial Warrant Register
- #13 Payroll Warrant Register
- #14 Auxiliary Payment and Purchase Orders
- #15 Direct Payments
- #16 Purchasing
  - A Award of Purchase Orders

IX. **CONSENT AGENDA – Pulled Items**

X. **MAJOR ITEMS OF BUSINESS**

- #17 Approval of Superintendent/President Employment Agreement
- #18 Reappointment of Personnel Commissioner
- #19 ~~Temporary Pedestrian and Vehicular Access to SMC Bundy Campus from  
—Airport Avenue—Recommendation Pulled~~
- #20 Upgrade of John Adams Middle School Field
- #21 Election of Chair of the Board of Trustees
- #22 Election of Vice-Chair of the Board of Trustees
- #23 Election of Secretary, Assistant Secretary and Recording Secretary
- D Seating of the Board of Trustees
- #24 Authorized Signature Resolutions

XI. **BOARD REPORTS AND COMMENTS**

XII. **INFORMATION**

- XIII. **ADJOURNMENT:** The next regular meeting of the Santa Monica Community College District Board of Trustees will be Monday, January 9, 2006 at 7 p.m. (5:30 p.m. if there is a closed session) Santa Monica College Board Room and Conference Center, Business Building Room 117, 1900 Pico Boulevard, Santa Monica, California.

**BOARD OF TRUSTEES**

SANTA MONICA COMMUNITY COLLEGE DISTRICT

**REGULAR MEETING**

December 5, 2005

**I. ORGANIZATIONAL FUNCTIONS**A. CALL TO ORDER – 5:30 p.m.B. ROLL CALL

Carole Currey, Chair - Present  
Dr. Nancy Greenstein, Vice-Chair - Present  
Dr. Susan Aminoff - Present  
Dr. Dorothy Ehrhart-Morrison - Present  
Dr. Margaret Quiñones - Present  
Rob Rader - Present  
Herbert Roney - Present  
Belinda Phillips, Student Trustee – Present (for public session)

**II. CLOSED SESSION**

- Public Employee Appointment, pursuant to Government Code Section 54957  
Title: Superintendent/President
- Collective Bargaining, *pursuant to Government Code Section 3549.1*
- Public Employee: Discipline, Dismissal, Release,  
*pursuant to Government Code Section 54957*
- Potential Litigation: One potential case  
*pursuant to Government Code Section 54956.9*

**III. PUBLIC SESSION - ORGANIZATIONAL FUNCTIONS – 7:33 p.m.**C. PLEDGE OF ALLEGIANCE – Tom Donner, Interim Superintendent/President**REPORT OUT OF CLOSED SESSION**

Chair Carole Currey announced the unanimous decision of the Board of Trustees to appoint Dr. Chui L. Tsang as Superintendent/President.

**IV. SUPERINTENDENT'S REPORT**

- Congratulations to the Board of Trustees on a very open search process which resulted in three outstanding finalists.
- Management Association Update/Classified Staff Recognition Award: Earl Goldberg, Electrician II who has worked at SMC for 22 years, was presented the Classified Staff Recognition Award for December by SMC Management Association President Katharine Muller.
- The Holiday Celebration will be held on Sunday, December 11<sup>th</sup> at 3 p.m. in the Library.
- Outgoing Board Chair Carole Currey was thanked for her services as chair.

**V. PRESENTATIONS AND BOARD DISCUSSION****VI. ACADEMIC SENATE REPORT**

Richard Tahvildaran-Jesswein

**VII. COMMUNICATIONS OR PUBLIC COMMENTS**

Dennis Frisch  
Lantz Simpson

**BOARD OF TRUSTEES**

SANTA MONICA COMMUNITY COLLEGE DISTRICT

**REGULAR MEETING**

December 5, 2005

III. PUBLIC SESSION - ORGANIZATIONAL FUNCTIONS**RECOMMENDATION NO. 1 APPROVAL OF MINUTES**

It is recommended that the minutes from the following meetings of the Santa Monica Community College District Board of Trustees be approved:

November 7, 2005 (Regular Meeting)

MOTION MADE BY: Margaret Quiñones  
SECONDED BY: Dorothy Ehrhart-Morrison  
STUDENT ADVISORY: Aye  
AYES: 7  
NOES: 0

November 13, 2005 (Special Meeting/Closed Session)

MOTION MADE BY: Dorothy Ehrhart-Morrison  
SECONDED BY: Susan Aminoff  
STUDENT ADVISORY: Aye  
AYES: 7  
NOES: 0

*At this meeting, a motion was made to commence negotiations for the appointment of the Superintendent/President.*

December 2, 2005 (Special Meeting/Closed Session)

MOTION MADE BY: Herbert Roney  
SECONDED BY: Nancy Greenstein  
STUDENT ADVISORY: Aye  
AYES: 7  
NOES: 0

<b>BOARD OF TRUSTEES</b>	<b>ACTION</b>
SANTA MONICA COMMUNITY COLLEGE DISTRICT	December 5, 2005

**CONSENT AGENDA**

It is recommended that the Board of Trustees take the action requested on Consent Agenda Recommendations #2-#16.

Recommendations pulled for questions  
and returned to the Consent Agenda: #2, #5

Action on Consent Agenda

MOTION MADE BY: Margaret Quiñones  
 SECONDED BY: Herbert Roney  
 STUDENT ADVISORY: Aye  
 AYES: 7  
 NOES: 0



<b>BOARD OF TRUSTEES</b>	<b>Action</b>
Santa Monica Community College District	December 5, 2005

CONSENT AGENDA: GRANTS AND CONTRACTS

**RECOMMENDATION NO. 2**      **ACCEPTANCE OF GRANTS AND BUDGET AUGMENTATIONS**

2-A WORKFORCE INVESTMENT ACT FUNDS FOR ASSOCIATE DEGREE NURSING (RN) PROGRAMS: FOSTERING STUDENTS SUCCESS

Granting Agency:	California Community Colleges Chancellor's Office: Career Technical Education/Economic and Workforce Development Units	
Appropriated Funding:	\$1,091,942	
	Year 1	\$219,702
	Year 2	\$217,990
	Year 3	\$219,209
	Year 4	\$217,051
	Year 5	\$217,990
Matching Funds:	A match of \$2 to every \$1 in grant funding is required for a total of \$2,261,895, as broken down:	
	Year 1	\$440,552
	Year 2	\$440,634
	Year 3	\$449,070
	Year 4	\$461,169
	Year 5	\$470,470

Performance Period: October 1, 2005 – August 31, 2010

Summary: The purpose of this project is to significantly increase the number of nursing students who complete the college's nursing program within two years of enrollment. The current completion rate within two years of enrollment is about 52 percent due to a large number of students who enter the program without the skills necessary to succeed in the program and the college's inability to provide supportive services to students once they are in the program. Through this project, the college will increase its completion rate to 90 percent by 1) reassessing its admissions criteria; and 2) developing, piloting, evaluating, and institutionalizing an array of supportive services and interventions designed to promote student success, including tutoring, mentoring, student success workshop, services for non-native English language learners, reading remediation courses, NCLEX Review Courses, and intrusive counseling and monitoring. SMC will partner with St. John's Health Center, Cedars-Sinai, UCLA Medical Center, and Kaiser, as well as the Marina Del Rey WorkSource.

Budget Augmentation:	Income: (Year 1)	
	8100	\$219,702
	Expenditures (2005-2006)	
	1000 Academic Salaries	71,220
	2000 Classified Salaries	63,875
	3000 Benefits	48,634
	4000 Supplies	1,500
	5000 Other Expenditure	14,500
	7000 Indirect Costs	19,973

<b>BOARD OF TRUSTEES</b>	<b>Action</b>
Santa Monica Community College District	December 5, 2005

CONSENT AGENDA: GRANTS AND CONTRACTS

**RECOMMENDATION NO. 2**      **ACCEPTANCE OF GRANTS AND BUDGET AUGMENTATIONS** *(continued)*

2-B BEVERAGE CONTAINER RECYCLING AND LITTER REDUCTION

Granting Agency: California State Department of Conservation—Division of Recycling  
 Appropriated Funding: \$87,400  
 Matching Funds: \$28,309  
 Performance Period: November 15, 2005 – May 31, 2007  
 Summary

The purpose of this project to increase the college’s capacity to collect, process, and safely recycle beverage containers brought on to campus by faculty, staff, and students, as well as those purchased from campus vendors. The college will accomplish this goal by 1) purchasing and installing additional recycling bins on the main campus, as well as each satellite campus; 2) developing and placing additional signage on existing recycle bins to increase public awareness of those bins; 3) developing an educational component that is linked to several college courses and will increase awareness of beverage container recycling; and 4) partnering with Sustainable Works to develop curriculum and promote the recycling program on campus and throughout the community. In addition to purchasing new bins and signage, this grant will enable the college to purchase a one-ton lift gate truck and an electric dump vehicle.

Budget Augmentation:	Income: (Year I)	
	8100	\$ 87,400
	Expenditures (2005-2006):	
	4000 Supplies	\$ 1,500
	5000 Other Expenditures	7,500
	6000 New Equipment	78,400

<b>BOARD OF TRUSTEES</b>	<b>Action</b>
Santa Monica Community College District	December 5, 2005

CONSENT AGENDA: GRANTS AND CONTRACTS

**RECOMMENDATION NO. 2**      **ACCEPTANCE OF GRANTS AND BUDGET AUGMENTATIONS** *(continued)*

2-C COMMUNITY-BASED JOB TRAINING GRANT

Granting Agency: United States Department of Labor/Employment and Training Administration

Appropriated Funding: \$1,393,442

Year 1	\$707,025
Year 2	\$336,288
Year 3	\$350,129

Matching Funds: \$401,125 (nearly all of which is administrative costs from SMC as the college can only claim a five percent indirect rate)

Performance Period: November 1, 2005 through October 31, 2008

Summary Under the leadership of Santa Monica College, the Southern California Nursing Initiative will address the California nursing workforce shortage through the development of an accredited Nursing Program with an online component. This project that meets both the instructional and student services needs of enrolled students will target Licensed Vocational Nurses who want to pursue their Associate Degree in Nursing. The proposed nursing program will serve an additional 40 ADN students per year.

Budget Augmentation: Income: (Year 1)

8100	\$ 707,025
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Expenditures (2005-2006:

1000 Academic Salaries	\$ 223,746
2000 Classified Salaries	49,056
3000 Benefits	81,841
4000 Supplies	2,800
5000 Other Expenditure	18,450
6000 Equipment	306,988
7000 Indirect Costs	24,144

<b>BOARD OF TRUSTEES</b>	<b>Action</b>
Santa Monica Community College District	December 5, 2005

CONSENT AGENDA: GRANTS AND CONTRACTS

**RECOMMENDATION NO. 3      CONTRACTS AND CONSULTANTS**

Action: Approval/Ratification

**3-A    ENGAGEMENT OF LEGAL COUNSEL**

Provider: Burke, Williams and Sorensen, LLP  
Service Provided: Will provide legal advice and representation pursuant to direction of the Board of Trustees, including the development and preparation of a contract with the new Superintendent/President.  
Date: November 17 through June 30, 2006  
Services Fees: \$255 per hour for partners; \$205 per hour for associates; \$110 per hour for clerks and paralegals; plus costs and expenses in performing legal services.

**3-B    CONTINUING AND COMMUNITY EDUCATION, WINTER, 2006**

1. Approval of seminars/courses for Santa Monica College Continuing and Community Education for Winter 2006.  
Funding Source: All costs will be covered by registration fees charged.
2. Off-campus Continuing and Community Education classes for Winter 2006; payment per class session is authorized as stated on the list.  
Funding Source: 2005-06 Budget/Continuing and Community Education

Comment: The lists of seminars/courses and facilities are on file in the Office of Continuing and Community Education.

**3-C    MEMORANDUM OF UNDERSTANDING – USC**

Provider: University of Southern California Department of Occupational Science and Occupational Therapy  
Term of Contract: January 1, 2006 – December 31, 2010  
Service Fees: None  
Service: Under the terms of the agreement, SMC will provide fieldwork placement for USC students.  
Comment: The MOU extends the term of the original agreement for five (5) additional years.

**3-D    PLANETARIUM**

Provider: Terry Martin  
Service Provided: Substitute planetarium lecturer for previously approved lecturer Richard Zurek  
Date: November 18, 2005  
Services Fees: Fees will be covered by tickets sales

**3-E    KCRW CONTRACTS AND CONSULTANTS**

Provider: National Public Radio  
Purchase Fees: Total not to exceed \$1,500,000  
Term of Contract: October 1, 2005 through September 30, 2006  
Service: Provide programs for purchase  
Funding Source: Corporation for Public Broadcasting grant and KCRW Donations

<b>BOARD OF TRUSTEES</b>	<b>Action</b>
Santa Monica Community College District	December 5, 2005

CONSENT AGENDA: HUMAN RESOURCES

**RECOMMENDATION NO. 4      ACADEMIC PERSONNEL**

*Requested Action: Approval/Ratification*

All personnel will be properly elected in accordance with district policies, salary schedules, and appropriate account numbers.

EFFECTIVE DATE

ELECTIONS

Girard, Don, Executive Assistant to Superintendent (Acting) (Extension)	01/01/06 – 06/30/06
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Philipson, Adam, Assistant Director, Madison Theater (Acting) (Extension)	01/01/06 – 06/30/06
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TEMPORARY HOURLY FACULTY

(List on file in the Office of Humans Resources - Academic)

<b>BOARD OF TRUSTEES</b>	<b>Action</b>
Santa Monica Community College District	December 5, 2005

CONSENT AGENDA: HUMAN RESOURCES

**RECOMMENDATION NO. 5**      **CLASSIFIED PERSONNEL**  
**ESTABLISH/ABOLISH POSITIONS**

The following positions will be established/abolished in accordance with District policies and salary schedules.

<u>ESTABLISH</u>	<u>EFFECTIVE DATE</u>
Director of Fiscal Services	12/5/05
Comment: This position is part of the fiscal services reorganization recommended by the auditor last year. The position will be classified by the Personnel Commission.	

**RECOMMENDATION NO. 6**      **CLASSIFIED PERSONNEL – REGULAR**

All personnel assigned into authorized positions will be elected to employment (Merit System) in accordance with District policies and salary schedules.

<u>ELECTIONS</u>	<u>EFFECTIVE DATE</u>
<u>PROMOTIONS</u>	
Adams, Deborah, Accountant, Fiscal Services	11/21/05
<u>STIPEND</u>	
Romano, Jere, College Police Officer, College Police	5 percent
Comment: Safety and Security Systems	05/01/04
<u>CHANGE IN WORK SHIFT/TEMPORARY</u>	
Rodriguez, Rogelio, Groundskeeper, Grounds	5 percent
	07/01/05-06/30/06
<u>ADVANCED STEP PLACEMENT</u>	
Bernard, Lori, Accounting Specialist II, Fiscal Services	Step B
Le, Anh, Accounting Specialist II, Fiscal Services	Step C
	09/14/05
	09/15/05
<u>SEPARATIONS</u>	
<u>39-MONTH REMPLOYMENT LIST-MEDICAL</u>	
Terzis, Helen, Personnel Analyst II	11/22/05
<u>RETIREMENT</u>	
Drewery, John, Parking Security Officer, College Police	01/03/06

The Board hereby accepts immediately the retirement of the above listed personnel to be effective as indicated.

<b>BOARD OF TRUSTEES</b>	<b>Action</b>
Santa Monica Community College District	December 5, 2005

CONSENT AGENDA: HUMAN RESOURCES

**RECOMMENDATION NO. 7      CLASSIFIED PERSONNEL – LIMITED TERM**

All personnel assigned to limited term employment (Merit System) will be elected in accordance with District policies and salary schedules. No limited term assignment shall exceed 120 working days per fiscal year.

<u>ELECTIONS</u>	<u>EFFECTIVE DATE</u>
<u>PROVISIONAL</u>	
Katter Jackson, Lisa, Lab Tech-Bio Sci, Life Science	11/28/05 - 12/20/05
Montes, John J., Van Driver, Transportation	11/07/07 - 12/20/05
Seeds, Robert, Personnel Analyst, Personnel Commission	11/08/05 - 01/30/06
<u>LIMITED TERM</u>	
Bartilet, Frank, Counseling Aide, Trio	10/01/05 - 12/30/05
Branch-Amos, Alixe C., Adm. Assistant I, Pers Comm	11/21/05 - 02/17/06
Luthi, Christopher, Accompanist-Performance, Prog. Dev	09/13/05 - 01/17/06
Parker, Rashad, Counseling Aide, Title V	10/31/05 - 12/31/05

**RECOMMENDATION NO. 8      CLASSIFIED PERSONNEL - NON MERIT**

All personnel assigned to non-merit employment will be elected on a limited term basis to be used as needed in accordance with District policies and salary schedules.

<u>ELECTIONS</u>	
<u>STUDENT EMPLOYEES</u>	
CaIWORKS \$7.00/hr	1
College Student Assistant \$7.00/hr	32
College Work-Study Student Assistant \$7.00/hr	44
<u>SPECIAL SERVICES</u>	
Art Model \$14.00/hr	84
Community Services Specialist I \$27.40/hr	76
Community Services Specialist II \$38.00/hr	23

List(s) available in the Human Resources Office and attached to permanent minutes.

<b>BOARD OF TRUSTEES</b>	<b>Action</b>
Santa Monica Community College District	December 5, 2005

CONSENT AGENDA: FACILITIES AND FISCAL

**RECOMMENDATION NO. 9      FACILITIES**

*Requested Action: Approval/Ratification*

**9-A      AWARD OF BID – EARTHQUAKE REPLACEMENT LIBERAL ARTS SOUTH**

Award of bid for the Earthquake Replacement Liberal Arts South to the lowest responsive bidder contingent upon final approval by the State Chancellor’s Office and the Department of Finance:

<u>Bidder</u>	<u>Bid Amount</u>
Pinner Construction Co.	\$13,195,000
FTR International	\$13,350,000

Funding Source:              City of Santa Monica Earthquake Redevelopment, State of California, Measure U

Comment:              The Liberal Arts Building, originally constructed in 1952, was damaged during the 1994 Northridge Earthquake. The District has determined that the replacement of the Liberal Arts Building is a more sensible, safe, and prudent course of action to take, rather than restoring the building back to its original 1952 condition. This project is directed by and in conformance with the January 13, 1998 SMC Adopted Facilities Master Plan. The Board approved the hiring of Gensler as the lead architect on February 12, 2001 and approved preliminary plans to be submitted it to the state for funding on April 2, 2001. This Board action along with the bid tabulation will be sent to the state for final approval before the District can execute the contract.

The Liberal Arts North building is currently in construction and the South phase will complete the new Earthquake Replacement Liberal Arts Complex. The North Building will house the History Department and the South Building will house Philosophy, Social Sciences, and Psychology and have a lab for Earth Sciences.

**9-B      AWARD OF BID – BUNDY CAMPUS SIGNAGE**

Award of bid for the Bundy Campus Signage to the lowest responsive bidder:

<u>Bidder</u>	<u>Bid Amount</u>
Architectural Design & Signs	\$38,709

Funding Source: Measure U

Comment:              This is for interior and exterior building signage. Additional site signage may be required at a later date when a permanent access plan is agreed upon.



<b>BOARD OF TRUSTEES</b>	<b>Action</b>
Santa Monica Community College District	December 5, 2005

CONSENT AGENDA: FACILITIES AND FISCAL

**RECOMMENDATION NO. 9      FACILITIES (continued)**

**9-C      CHANGE ORDER NO. 6 – THEATRE ARTS RENOVATION**

Change Order No. 6 - TURNER CONSTRUCTION COMPANY on the Theatre Arts Renovation Project in the amount of \$4,595.

Original Contract Amount	\$ 13,053,000
Previously approved Change Orders 1-5	589,635
Change Order No. 6	<u>4,595</u>
Revised Contract Amount	\$13,647,230
Original Contract Time	425 days
Time Extension Change Order No. 2	24 days
Current Revised Contract Time	469 days

Funding Source: Measure U

Comment:      Change Order No. 6 provides for the addition of bent reinforcing steel at the main theatre stair treads, furnishing and installing welded clips at long span metal stud framing, and misc. metal framing and drywall work at louver #20.

**9-D      CHANGE ORDER NO. 2 – LIBERAL ARTS, NORTH BUILDING**

Change Order No. 2 – PINNER CONSTRUCTION COMPANY on the Liberal Arts North Building Project in the amount of \$6,898.

Original Contract Amount	\$9,951,000
Previously approved Change Order No. 1	6,875
Change Order No. 2	<u>6,898</u>
Revised Contract Amount	\$9,964,773
Original Contract Time	425 days
Current Revised Contract Time	425 days

Funding Source: Measure U

Comment:      Change Order No. 2 provides for the addition of vertical reinforcing steel, modification of steel embed plates to avoid anchor bolts, the change from “coated” to plastic “rebar chairs” and additional reinforcing steel at the breezeway wall.

**BOARD OF TRUSTEES**

Santa Monica Community College District

**Action**

December 5, 2005

CONSENT AGENDA: FACILITIES AND FISCAL**RECOMMENDATION NO. 9**      **FACILITIES** (continued)**9-E**      **CHANGE ORDER NOS. 11 & 12 – NEW MUSIC AND PERFORMING ARTS THEATER (MADISON)**

Change Order No. 11 – FTR INTERNATIONAL, INC. on the Renovation portion of the project in the amount of \$2,492.

Change Order No. 12 – FTR INTERNATIONAL, INC. on the Theatre portion of the project in the amount of \$2,401.

Original Contract Amount	\$30,780,000
Previously approved Change Orders 1-10	125,855
Change Order No. 11	2,492
Change Order No. 12	<u>2,401</u>
Revised Contract Amount	\$30,910,748

Original Contract Time	670 days
Current Contract Time	670 days

Funding Source: Measure S, U

Comment: Change Order No. 11 provides for the change of emergency light fixtures from wall-mounted to ceiling-mounted and the removal of an existing toilet including the capping of pipe and patching of the floor.

Change Order No. 12 provides for the extending of a 6 inch supply air duct to provide air to the lighting and sound booth.

**9-F**      **AMENDMENT TO AGREEMENT FOR ARCHITECTURAL SERVICES – NEW MUSIC AND PERFORMING ARTS THEATER**

Amend the agreement with RENZO ZECCHETTO ARCHITECTS for architectural services related to the New Music and Performing Arts project for an amount not to exceed \$2,500 plus reimbursable expenses.

Funding Source: Measure U

Comment: This amendment to the agreement provides for the planning, design, and construction administration for the re-roofing of the Madison Campus Rehearsal Hall and West Wing. Construction of this project led to the discovery of unforeseen conditions on the roof of this facility and the District has determined that the roof will need to be replaced to prevent leaking on a newly constructed facility.

**BOARD OF TRUSTEES****Action**

Santa Monica Community College District

December 5, 2005

CONSENT AGENDA: FACILITIES AND FISCAL**RECOMMENDATION NO. 10***Requested Action: Approval/Ratification***2005-06 AMENDED ADOPTED BUDGET –  
INTEREST AND REDEMPTION FUND 48.0**

Adopt the following amended adopted budget for the Interest and Redemption Fund 48.0 as presented to the District by the Los Angeles County Treasurer's Office and the Los Angeles County Office of Education.

ACCOUNTS	2004-2005 ADOPTED BUDGET	2004-2005 ACTUAL	2005-2006 AMENDED ADOPTED BUDGET
<b>BEGINNING BALANCE</b>	6,178,067	6,178,067	8,628,691
<b>ADJUSTED BEGINNING BALANCE</b>	<b>6,178,067</b>	<b>6,178,067</b>	<b>8,628,691</b>
<b>INCOME</b>			
8600 STATE REVENUES	-0-	29,064	-0-
8800 LOCAL FUNDS	6,947,687	9,310,446	14,938,583
<b>TOTAL INCOME</b>	<b>6,947,687</b>	<b>9,339,510</b>	<b>14,938,583</b>
<b>TOTAL FUNDS AVAILABLE</b>	<b>13,125,754</b>	<b>15,517,577</b>	<b>23,567,2743</b>
<b>EXPENSES</b>			
7100 DEBT REDEMPTION	4,090,000	4,090,000	10,470,000
7111 INTEREST CHARGES	2,798,886	2,798,886	5,294,877
<b>TOTAL EXPENSES</b>	<b>6,888,886</b>	<b>6,888,886</b>	<b>15,764,877</b>
<b>ENDING BALANCE</b>	<b>6,236,868</b>	<b>8,628,691</b>	<b>7,802,397</b>

Comment: The Treasurer's Office has revised their estimates a second time and the District is required to adopt the Interest and Redemption Fund budget as revised by the Treasurer's Office. LACOE has complete control of this fund since it is the fiscal agent for Bond Fund tax revenue and interest and Bond Redemption and interest.

<b>BOARD OF TRUSTEES</b>	<b>Action</b>
Santa Monica Community College District	December 5, 2005

CONSENT AGENDA: FACILITIES AND FISCAL

**RECOMMENDATION NO. 11 BUDGET AUGMENTATION**

*Requested Action: Approval/Ratification*

11-A EXTENDED OPPORTUNITY PROGRAMS AND SERVICES (EOPS)

Granting Agency:	State of California	
Appropriated Funding:	\$149,867	
Matching Funds:	not applicable	
Performance Period:	July 1, 2005 – June 30, 2006	
Summary	The District qualifies for an additional \$149,867 in State appropriations for EOPS-Category A.	
Budget Augmentation:	Income:	
	8000 State Income	\$149,867
	Expenditures:	
	1000 Academic Salaries	\$5,205
	2000 Classified Salaries	62,293
	3000 Benefits	22,066
	5000 Contracted Services	11,505
	7000 /Student Aid/Book Grants	48,798
	Total Expenditures	\$149,867

11-B COOPERATIVE AGENCIES RESOURCES FOR EDUCATION PROGRAM (CARE)

Granting Agency:	California Community Colleges	
Appropriated Funding:	\$5,335	
Matching Funds:	not applicable	
Performance Period:	July 1, 2005 – June 30, 2006	
Summary	The District qualifies for an additional \$5,335 in State appropriations for CARE.	
Budget Augmentation:	Income:	
	8000 State Income	\$5,335
	Expenditures:	
	4000 Books & Supplies	3,450
	5000 Contracted Services	150
	7000 Transfers/Student Aid	1,735
	Total Expenditures:	\$5,335

<b>BOARD OF TRUSTEES</b>	<b>Action</b>
Santa Monica Community College District	December 5, 2005

CONSENT AGENDA: FACILITIES AND FISCAL

**RECOMMENDATION NO. 11 BUDGET AUGMENTATION** (continued)

11-C DISABLED STUDENTS PROGRAM & SERVICES (DSPS)

Granting Agency:	State of California	
Appropriated Funding:	\$121,724 Augmentation	
Matching Funds:	not applicable	
Performance Period:	July 1, 2005 – June 30, 2006	
Summary:	Additional funds for DSPS allocation per Chancellor's Office, revised 10/24/2005 (bring the total from \$1,113,008 to \$1,234,732)	
Budget Augmentation:	Income:	
	8000 Income	\$121,724
	Expenditures:	
	1000 Academic Salaries	\$96,795
	3000 Benefits	\$24,929
	Total Expenditures	\$121,724

<b>BOARD OF TRUSTEES</b>	<b>Action</b>
Santa Monica Community College District	December 5, 2005

CONSENT AGENDA: FACILITIES AND FISCAL

**RECOMMENDATION NO. 12**      **COMMERCIAL WARRANT REGISTER**

October 1 – October 31, 2005                      1792 – 1832                      \$6,654,645.05

Comment:      The detailed commercial warrant documents are on file in the Accounting Department.

**RECOMMENDATION NO. 13**      **PAYROLL WARRANT REGISTER**

October 1 – October 31, 2005                      CIC – C2D                      \$7,256,177.61

Comment:      The detailed payroll register documents are on file in the Accounting Department.

**RECOMMENDATION NO. 14**      **AUXILIARY PAYMENTS & PURCHASE ORDERS**

Payments were authorized upon delivery and acceptance of the items ordered, or performance of the service. All purchases and payments were made in accordance with Education Code requirements and allocated to approved budgets in the Bookstore fund, Trust fund and other Auxiliary funds.

	Payments	Purchase Orders
October 1 – October 31, 2005	\$1,376,350	\$3,980

Comment:      The detailed Auxiliary payment documents are on file in the Auxiliary Operations Office.

**RECOMMENDATION NO. 15**      **DIRECT PAYMENTS**

Payments were authorized upon delivery and acceptance of the items ordered, or performance of the service. All payments were made in accordance with Education Code requirements and allocated to approved budgets. List on file in Business Office.

	D000394 – D000549	\$66,943.91
October 1 – October 31, 2005	B000131 – B000194	\$1,001,033.49

**RECOMMENDATION NO. 16**      **PURCHASING**

16-A AWARD OF PURCHASE ORDERS

Payments are authorized upon delivery and acceptance of the items ordered, or performance of the service. All purchases and payments are made in accordance with Education Code requirements and allocated to approved budgets. Lists on file in the Purchasing Department

October 1 – October 31, 2005                      \$372,273.91

**BOARD OF TRUSTEES****ACTION**

Santa Monica Community College District

December 5, 2005

MAJOR ITEMS OF BUSINESS**RECOMMENDATION NO. 17**      **APPROVAL OF SUPERINTENDENT/PRESIDENT  
EMPLOYMENT AGREEMENT**

It is recommended that the Board of Trustees approve an employment agreement with Dr. Chui L. Tsang as Superintendent/President.

The terms of the agreement are:

- Three-year rolling contract commencing February 27, 2006
- Salary: \$175,000 per year
- \$650 per month car allowance
- \$24,000 per year housing allowance
- One-time moving expense allowance of \$5,000
- All fringe benefits including health, dental and vision insurance.

MOTION MADE BY:                      Margaret Quiñones  
SECONDED BY:                            Rob Rader  
STUDENT ADVISORY:                    Aye  
AYES:                                        7  
NOES:                                        0

**PUBLIC COMMENTS:**

Lesley Kawaguchi  
Richard Tahvildaran-Jesswein

<b>BOARD OF TRUSTEES</b>	<b>ACTION</b>
Santa Monica Community College District	December 5, 2005

MAJOR ITEMS OF BUSINESS

**RECOMMENDATION NO. 18 REAPPOINTMENT OF PERSONNEL COMMISSIONER**

It is recommended that the Board of Trustees confirm the reappointment of Karen Bancroft to the SMC Personnel Commission for a three-year term that commences December 1, 2005 and expires November 30, 2008.

Comment: The process of filling a position on the Personnel Commission requires that one member be appointed by Board of Trustees; one member be appointed by the classified employees of the District; and the third member be in 2004 when Dolores Press was appointed to the Personnel Commission. The vacancy now created by the expiration of Karen Bancroft's term creates the opportunity for the classified employees to make its appointment to the Personnel Commission.

MOTION MADE BY: Nancy Greenstein  
 SECONDED BY: Dorothy Ehrhart-Morrison  
 STUDENT ADVISORY: Aye  
 AYES: 6  
 NOES: 0  
 ABSTAIN: 1 (Margaret Quiñones)



<b>BOARD OF TRUSTEES</b>	<b>ACTION</b>
Santa Monica Community College District	December 5, 2005

MAJOR ITEMS OF BUSINESS

**RECOMMENDATION NO. 19      **PULLED – NO ACTION TAKEN****

**TEMPORARY PEDESTRIAN AND VEHICULAR  
ACCESS TO SMC BUNDY CAMPUS FROM AIRPORT  
AVENUE**

It is recommended that the Board of Trustees hold a discussion and provide direction to staff regarding the offer of the City of Santa Monica by City Council action of November 8, 2005, to provide a temporary, seven-month pedestrian access and vehicular right-of-way (exiting only) agreement from the Bundy Campus to Airport Avenue in return for the College District paying for all costs of improvements, providing indemnification, and providing an unconditional and permanent waiver of all claims to any actual or purported property rights regarding access from the Bundy Campus through City property to Airport Avenue, including any implied, expressed, or prescriptive easements and related claims. The Board's action may include the adoption of a resolution.

**Background:** In February 2003, the City of Santa Monica closed and locked two gates in a fence that separates the 227-acre Santa Monica Municipal Airport and the 10-acre Santa Monica College Bundy campus. Both of these gates extend across driveways that have historically been used to provide pedestrian and vehicular access from the Bundy campus site to Airport Avenue (a street that traverses the southern edge of the Airport, connecting on the east to Bundy Drive via a traffic signal and on the west to Walgrove Avenue).

The connection of the Bundy campus site with the Santa Monica Municipal Airport originated in 1935, when the City of Santa Monica purchased the 10-acre site and added it to its municipal golf course. The property was later included in the City of Santa Monica's Airport Master Plan adopted after World War II as one of two parcels needed to provide a southern expansion of the Municipal Airport into the City of Los Angeles. When Los Angeles zoning changes needed to build a runway south of the Santa Monica border were denied in 1950, Santa Monica abandoned its option on the first parcel, a 15-acre site south of the City border and west of the Bundy campus site, and supported and facilitated the sale of the other parcel, the 10-acre Bundy campus site, to Lear, Inc. The sale was approved unanimously by the Santa Monica City Council on January 22, 1952 for \$106,000. Lear's intended use of the site was to manufacture electronic equipment and to install the gear on Air Force planes rolled from the Airport.

Vehicular and pedestrian access to the Bundy campus site from Airport Avenue has occurred without interruption or restriction throughout the Lear ownership through December 2001, and during College ownership and lease to BAE Systems (the new name for Lear Siegler Astronics) through February 2003. At its peak in 1988, Lear Siegler employed approximately 1,280 people working at the site on a daily basis, and during its last year of use, BAE Systems employed 736 people at the site.

This historical investigation underlies Santa Monica College's assertion that it possesses a legally-protected implied easement for direct vehicular access between the Bundy Campus and Airport Avenue. The assertion is based on statute and includes three elements: there was a separation of title from single ownership; before the separation, the use was of adequate duration and so apparent as to indicate it was intended to be permanent; and the implied easement must be reasonably necessary to the beneficial enjoyment of the land granted. The College first asserted this property right to the City of Santa Monica in June 2004.

Importantly, rather than pursuing legal action, the College has pursued a multi-year strategy of resolving this issue through discussion.

The College has worked cooperatively with the City of Santa Monica in the preparation of a vehicle access plan by developing and authorizing a Bundy Campus Long Range Master Plan process that in essence recommends maintaining the current level of operations. The College has analyzed circulation issues and adjusted operations accordingly. The College has reduced any potential impact on Airport operations by relocating the shuttle. The College has supported City of Santa Monica efforts to develop a three-party agreement that includes the City of Los Angeles.

This cooperative effort has in fact led to a proposed three-party agreement developed with the participation of all parties on October 28, 2005, whereby in the immediate term Los Angeles City Councilmember Bill Rosendahl would seek a half-signal on Bundy at the Bundy Campus driveway; Santa Monica would allow entering and exiting from the campus via Donald Douglas Loop South to and from Airport Avenue, with exiting right turn only to Bundy Drive; SMC would agree to keep the gate from the campus to Stewart Street closed except in emergency situations; and SMC would pay for all costs. The immediate term blueprint is to be a pilot for the intermediate term. In the intermediate term, Councilmember Bill Rosendahl would install a traffic signal on Bundy at the Bundy Campus driveway. The other immediate term elements would be extended, with modifications as determined by the pilot program. Additionally, all parties would agree to pursue longer term solutions.

The Santa Monica College Board of Trustees endorsed this agreement on November 7, 2005.

The Council action of November 8, 2005, falls short of meeting the terms of the proposed three-party agreement. It limits access to Airport Avenue to exiting only. It does not provide a commitment to extend the access right beyond seven months, even if the Bundy signal is installed or approved during that time period. It includes a new requirement, the permanent waiver of a College property right, as a condition of the seven-month agreement. This requirement has never been discussed with the College nor has there been any public input regarding the permanent nature of this waiver.

The Bundy Campus extends Santa Monica College's commitment to neighborhood quality of life. Throughout the 1990s, the College has followed a growth management strategy of decentralization and shifting circulation away from residential areas. Since 1992, for example, the College has closed Parking Lot #3 on Pearl Street; has relocated Student Services to the Pico side of the campus; has shifted programs to new satellite locations; and has re-started an off-site parking and shuttle program.

The value of these efforts to reduction of traffic near the main campus is evident. In a City of Santa Monica comparison of vehicular counts between late Fall 1992 and mid-Spring 1998, traffic volume on 20th Street between Pico Boulevard and Pearl Street had been reduced approximately 12% despite overall College growth. This is the street segment north of Ocean Park Boulevard in Sunset Park with the highest total traffic volume and the street segment most affected by student traffic.

Providing long-term, safe access to the Bundy Campus would assist the College in redirecting student traffic away from the main campus and out of residential neighborhoods. In addition, providing interim access would avoid possible interruptions in College programs and the negative impact on student opportunities and College operations that such interruptions would have.

Assuring the public safe access to the Bundy Campus and the long-term cooperation among the above governmental agencies are the basis of Board discussion and possible direction to staff.

MOTION MADE BY:  
SECONDED BY:  
STUDENT ADVISORY:  
AYES:  
NOES:

<b>BOARD OF TRUSTEES</b>	<b>ACTION</b>
Santa Monica Community College District	December 5, 2005

MAJOR ITEMS OF BUSINESS

**RECOMMENDATION NO. 20      UPGRADE OF JOHN ADAMS MIDDLE SCHOOL FIELD**

It is recommended that the Board of Trustees direct Santa Monica College staff to work cooperatively with Santa Monica-Malibu Unified School District staff, City of Santa Monica staff, the Sports Advisory Council, and the existing users to upgrade the John Adams Middle School soccer, baseball, and practice fields to an all-weather synthetic turf surface (preserving the dirt portions needed for baseball/softball) and to make related improvements, with funding from Measure S.

Comment:      SMC currently offers credit classes in physical education, athletics, and kinesiology. Compared to many other California community college campuses, SMC is deficient in field space. In order to offer a full program, the District rents field space. However, there is insufficient field space in Santa Monica to meet demand.

Measure S, approved by District voters in November 2004, authorizes the use of bond funds to retrofit existing athletic fields available to the District. This includes installing synthetic turf, which holds up to extended play extremely well and virtually eliminates the down time due to rain, field rehabilitation, mowing, and irrigation associated with natural grass. This increases activity levels for games and practices—it is estimated that synthetic turf adds as many as 600 to 800 games additional annually for a two-field park site.

Synthetic turf provides a number of environmental benefits. Recycled rubber is used in the product to increase surface resiliency, the need for chemical fertilizer is eliminated, and annual water savings are significant.

The fields at the School District's John Adams Middle School would benefit from such an upgrade. The north and south fields are heavily used by the School District, the College, and many community groups including AYSO, Santa Monica Pony Baseball, Pacific Coast Soccer Club, Santa Monica Little League, Bobby Sox, and Santa Monica United Soccer Club. The College's use is for women's soccer practice and games and men's football practice.

The School District has included the upgrade of the John Adams fields among its priorities. The School District applied for a grant from the Urban Park Act of 2001 Program last year; this fall, the School District learned that the project will not be funded from this source.

College staff and School District staff have recently met regarding the use of Measure S funds to upgrade the fields at John Adams Middle School. College staff believes that the increased playing time provided by this proposed upgrade will be of interim benefit to the College during the future upgrade of Corsair Field and will be of ongoing benefit in terms of reduced maintenance and upkeep costs. Additionally, the improvements would enhance opportunities for John Adams Middle School students and neighborhood youth. Once completed, the John Adams fields would remain available to users consistent with current practice.

MOTION MADE BY:                      Dorothy Ehrhart-Morrison  
 SECONDED BY:                            Rob Rader  
 STUDENT ADVISORY:                    Aye  
 AYES:    7  
 NOES:    0

<b>BOARD OF TRUSTEES</b>	<b>ACTION</b>
Santa Monica Community College District	December 5, 2005

MAJOR ITEMS OF BUSINESS

**RECOMMENDATION NO. 21**     **ELECTION OF CHAIR OF THE BOARD OF TRUSTEES**

It is recommended that the election be held for Chair of the Board of Trustees of the Santa Monica Community College District.

Motion was made by Margaret Quiñones and seconded by Dorothy Ehrhart-Morrison to elect **Nancy Greenstein** as Chair of the Board of Trustees.

STUDENT ADVISORY:     Aye  
AYES:                         7  
NOES:                         0

**RECOMMENDATION NO.2 2**     **ELECTION OF VICE-CHAIR OF THE BOARD OF TRUSTEES**

It is recommended that the election be held for Vice-Chair of the Board of Trustees of the Santa Monica Community College District.

Motion was made by Margaret Quiñones and seconded by Herb Roney to elect **Susan Aminoff** as Vice-Chair of the Board of Trustees.

STUDENT ADVISORY:     Aye  
AYES:                         7  
NOES:                         0

**RECOMMENDATION NO. 23**     **ELECTION OF SECRETARY, ASSISTANT SECRETARY AND RECORDING SECRETARY**

It is recommended that Interim Superintendent/President Thomas J. Donner be elected Secretary to the Board of Trustees; Executive Vice-President Randal Lawson, be elected Assistant Secretary to the Board of Trustees; and Coordinator, District/Board of Trustees Office Lisa Rose, be elected Recording Secretary to the Board of Trustees.

Comment:                 In accordance with Board Policy 1170, the officers and auxiliary personnel of the Board of Trustees of the Santa Monica Community College District shall consist of a chair, vice-chair, secretary, assistant secretary and recording secretary.

MOTION MADE BY:             Rob Rader  
SECONDED BY:                 Herb Roney  
STUDENT ADVISORY:Aye  
AYES:                                 7  
NOES:                                 0

<b>BOARD OF TRUSTEES</b>	<b>ACTION</b>
Santa Monica Community College District	December 5, 2005

MAJOR ITEMS OF BUSINESS

**INFORMATION ITEM D                      SEATING OF THE BOARD OF TRUSTEES**

Seating of the Board of Trustees was determined by drawing numbers, with the Board Chair in the middle, the Vice-Chair to the right of the Chair, the Superintendent to the right of the Vice-Chair, and the Student Trustee in the designated Student Trustee position.

**RECOMMENDATION NO. 24            AUTHORIZED SIGNATURE RESOLUTIONS**

It is recommended that the Board of Trustees resolve that the Interim Superintendent/ President Thomas J. Donner, Executive Vice-President Randal Lawson, Associate Vice-President, Fiscal Services Reagan Romali, be authorized to sign warrants, orders for salary payment, notices of employment, contracts, and other documents as directed by the Board of Trustees; Dean, Human Resources Sherri-Lee Lewis, and Dean, Human Resources Patricia Brown, be authorized to orders for salary payment, notices of employment; Director of Auxiliary Services George Prather be authorized to sign Auxiliary warrants; and Director of Purchasing Keith Webster be authorized to sign purchase orders.

It is further recommended that the "Certification of Signatures" be completed and filed with the County Superintendent of Schools. The signatures shall be considered valid for the period of December 5, 2005 through December 31, 2006.

MOTION MADE BY:            Rob Rader  
 SECONDED BY:                Herb Roney  
 STUDENT ADVISORY:        Aye  
 AYES:                                7  
 NOES:                                0

<b>BOARD OF TRUSTEES</b>	<b>REGULAR MEETING</b>
SANTA MONICA COMMUNITY COLLEGE DISTRICT	December 5, 2005

XIV. ADJOURNMENT: 9:16 p.m.

The meeting was adjourned in memory of adjunct physics professor **Dr. Rafael Enfiadjian**.

The next regular meeting of the Santa Monica Community College District Board of Trustees will be Monday, January 9, 2006 at 7 p.m. (5:30 p.m. if there is a closed session) in the Santa Monica College Board Room and Conference Center, Business Building Room 117, 1900 Pico Boulevard, Santa Monica, California.